

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Establishment- Cooperation Department- Sri T. Kashinatham, Deputy Registrar (Retd)/Officer on Special Duty, District Cooperative Central Bank Ltd, Adilabad- Appointment to Selection Grade post in the cadre of L.D.C. with effect from 21.8.1974 as per orders of the Hon'ble Pension Lok Adalat dated:15.12.2007-Accorded-Orders- Issued.

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AGRICULTURE AND COOPERATION (COOP-II) DEPARTMENT

G.O.Rt No. 117

Dated: 23-01.2009.

Read the following:

1. From the CC&RCS, Hyderabad, Lr.Rc.No.26916/2000-E9, dt. 25-6-2007, r/wLr.Rc.No.26916/2000-E.9, dt. 23-8-2004.
2. Govt.Memo.No.9433/Coop-II(2)/2007-3,A&C(Cooperation-II) Dept., dt. 1-11-2007.
3. Orders of Hon'ble Pension Lok Adalat, Hyderabad, dt. 15-12-2007 in Roc.No.173/LSA/2007.
4. From the CC&RCS,Letter Rc.No.26916/2000/SZ-II, dt. 26-12-2008 r/w Lr.Rc.No.26916/2000/SZ-V, dt. 10-7-2008.

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ORDER:

The Commissioner for Cooperation and Registrar of Cooperative Societies, AP, Hyderabad in the reference 1<sup>st</sup> read above has submitted that Sri T.Kashinatham, Deputy Registrar (Retd) represented the Government that he was appointed as Lower Division Clerk by the District Selection Committee, Adilabad w.e.f. 21-8-1969 and his probation was also commenced from the same date, and had put in 5 years regular service in the category of L.D.C., on 21-8-1974, and he was eligible for appointment to Selection Grade post of L.D.C. introduced in G.O.Ms.No.173,Finance(PC) Department, dt. 13-6-1969. But he was not appointed to the Selection Grade Post of L.D.C. where as Sri Vadivelu, who was appointed as LDC on 6-9-1969 and completed 5 years regular service by 6-9-1974 was appointed to Selection Grade Post of L.D.C. w.e.f. 6-9-1974. He has therefore requested that he may be appointed to Selection Grade Post of LDC w.e.f. 21-8-1974 as he had completed 5 years of service on that date. The Commissioner for Cooperation and Registrar of Cooperative Societies, AP, Hyderabad has further stated that Government in G.O.Ms.No.19, Planning & Cooperation Department, dt. 11-1-1971 earmarked 22 posts of Selection Grade posts of LDCs for Telangana area. In order to make appointments, the details of eligible LDCs were called from the District Cooperative Officers of Telangana area, while the then District Cooperative Officer, Adilabad, among other District Cooperative Officers had reported that there is no LDCs working in his District., who had completed regular service as LDC and furnished –NIL- particulars. As such orders of appointment to Selection Grade posts of LDCs in respect of eligible LDCs were issued in Registrar's Memo. Rc.No.29350/71-B2, dt. 12-2-1983 on the basis of received particulars from the concerned District Cooperative Officers and Sri T.Kashinatham was not appointed to Selection Grade Post of LDC along with others, though he completed 5 years of service as LDC by 21-8-1974. Only after receipt of representation of Sri T.Kashinatham, made on 23-3-1986 their office came to known about the eligibility of individual for appointment to Selection Grade post in L.D.C. He has further stated that no junior to Sri T. Kashinatham, in Adilabad unit was given Selection Grade Promotion to the post of LDC and the question of reversion to juniors

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does not arise. He has also stated that Sri T.Kashinatham, has filed a petition before the Hon'ble Lokadalat Bench for pension cases requesting to sanction Selection Grade Post in the cadre of LDC w.e.f. 21-8-1974. While stating the above facts the CC&RCS has requested the Government to consider the case of the individual for appointment to Selection Grade Post of LDC, w.e.f. 21-8-1974, as he had completed 5 years of regular service in the cadre as on that date.

2. Government in the reference 2<sup>nd</sup> above rejected the proposal, in view of the orders issued in G.O.Ms.No.191, Finance Department, dt. 11-11-1992 that no proposal for appointments of Selection Grade posts can be entertained by the Government thereafter, since Government had already given sufficient time for finalization of pending Selection Grade cases on or before 30<sup>th</sup> June, 1986.

3. The Hon'ble Lok Adalat Bench for Pension Cases in its orders in the reference 3<sup>rd</sup> read above have observed among others that the individual had acquired the require qualification for promotion to Selection Grade post in the category of LDC as per clause-3(ii) of U.O.Note No.808/PC/69-L, dt. 26-7-1969 issued by Government in Finance (Pay Commission) Department in implementation of G.O.Ms.No.173, Finance (PC) Department dt. 26-7-1969 and this fact has been admitted by the Commissioner for Cooperation and Registrar of Cooperative Societies, AP, Hyderabad. Since, the District Cooperative Officer, Adilabad did not send the petitioner's name as eligible LDC, the petitioner's name was not considered for appointment to said post, thus due to laches on the part of District Cooperative Officer, Adilabad in not sending the name of the petitioner, he was deprived of Selection Grade Promotion, thus great injustice has been done to him. With a view to reconsider the grievances of employees whose cases were not considered earlier for appointment to Selection Grade Promotion Government in G.O.Ms.No.4, Finance & Planning (PC) Department dt. 6-1-1986 giving one more opportunity for such employees to apply to the concerned Head Of Departments on or before 31-3-1986. In pursuance of the above said G.O. the petitioner submitted his representation on 22-3-1986, i.e., long before the date fixed in the G.O., and the same is not disputed by the respondents. Subsequently, Government in G.O.Ms.No.191, Finance(PC-II) Department dated:1.11.1992, discloses that it comes into prospective only as it is mentioned that no proposals for appointment of Selection Grade posts can be entertained by the Government here after. In the case on hand, the representation of the petitioner and the proposal by the Registrar are pending already with the Government by the date G.O. issues. Therefore, G.O.Ms.No.191, has no application in this case. Thus rejection orders of Government in Memo.No.9433/Coop-II(2)/07, dt. 1-11-2007 on the grounds that no proposal for appointment of Selection Grade posts can be entertained by Government hereafter in view of orders issued in G.O.Ms.No.191, dt. 1-11-1992 is not correct. The Hon'ble Lok Adalat has observed that it is the Government that has failed to dispose of the petitioner's representation in time and the proposal of the Registrar by 30-6-1986, therefore reasoning of the Government for rejecting the claim of the petition cannot be appreciated. The Hon'ble Lok Adalat has therefore requested the Government to reconsider the order passed in Memo.No.9433/Coop-II/A2/2007-3, dt. 1-11-2007 and pass appropriate orders in the interest of justice.

4. The Commissioner for Cooperation and Registrar of Cooperative Societies, AP, Hyderabad, in the reference 4<sup>th</sup> read above, has submitted that the individual has fulfilled all the conditions specified in U.O.Note No.808/PC/69-L, Finance (PC) Department dt., 26-7-1969 for considering the case of the individual for appointing him to Selection Grade in the cadre of L.D.C. w.e.f. 21-8-1974.

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5. Government, after careful examination of entire case, in light of orders passed by the Hon'ble Lok Adalat for Pension Cases in Roc.No.173/LSA/2007, dt. 15-12-2007, have decided to reconsider the orders passed in the reference 2<sup>nd</sup> read above, and consider the case of applicant for appointment to Selection Grade post of L.D.C. w.e.f. 21-8-1974 subject to terms and conditions of appointment to Selection Grade Post of L.D.C.

6. Accordingly, Government hereby accord permission to the Commissioner for Cooperation and Registrar of Cooperative Societies, AP, Hyderabad, to appoint Sri T.Kashinatham, Deputy Registrar (Retd) to Selection Grade post in the cadre of L.D.C. w.e.f. 21-8-1974 that is the date on which he is eligible for appointment to such post with in the earmarked 22 posts of Selection Grade L.D.Cs, sanctioned vide G.O.Ms No.19, Planning &Cooperation Department, Dated:11.01.1971, subject to fulfillment of terms of conditions stipulated in G.O.Ms.No.173, Finance Department dt.13-6-1969 and U.O.Note.No.808/PC/69-L, Finance (PC) Department dt. 26-7-1969.

7. The Commissioner for Cooperation and Registrar of Cooperative Societies, AP, Hyderabad shall take further action accordingly.

8. This order issues with the concurrence of Finance Department vide their U.O. No.10996-A/77/PC-II/2008, dt. 21-5-2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PANKAJ DWIVEDI,  
PRINCIPAL SECRETARY TO GOVERNMENT(FP,AM &COOP)

To

The Commissioner for Cooperation and Registrar of Cooperative Societies,  
A.P. Hyderabad.

The individual through the Commissioner for Cooperation and Registrar of Cooperative Societies, AP, Hyderabad .

The Administrative Officer, O/o the A.P.Legal Services Authority,  
Nyaya Seva Sadan, Purani Haveli, Hyderabad-500 002.

The Pay and Accounts Officer, Hyderabad.

The Accountant General, A.P. Hyderabad.

SF/SC

//FORWARDED: BY ORDER//

SECTION OFFICER